

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-02906-TNM**

ELECTRONIC PRIVACY INFORMATION CENTER v.  
NATIONAL SECURITY COMMISSION ON ARTIFICIAL  
INTELLIGENCE et al  
Assigned to: Judge Trevor N. McFadden  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/27/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ELECTRONIC PRIVACY  
INFORMATION CENTER**

represented by **Marc Rotenberg**  
ELECTRONIC PRIVACY  
INFORMATION CENTER  
1519 New Hampshire Avenue, N.W.  
Washington, DC 20036  
(202) 483-1140, ext 106  
Fax: (202) 483-1248  
Email: [rotenberg@epic.org](mailto:rotenberg@epic.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**John L. Davisson**  
ELECTRONIC PRIVACY  
INFORMATION CENTER  
1519 New Hampshire Ave, NW  
Washington, DC 20036  
(202) 483-1140 ext. 120  
Email: [davisson@epic.org](mailto:davisson@epic.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**NATIONAL SECURITY  
COMMISSION ON ARTIFICIAL  
INTELLIGENCE**

represented by **Gary Daniel Feldon**  
UNITED STATES DEPARTMENT OF  
JUSTICE  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Room 11104  
Washington, DC 20005  
(202) 514-4686  
Fax: (202) 616-8460  
Email: [Gary.D.Feldon@usdoj.gov](mailto:Gary.D.Feldon@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**ERIC SCHMIDT**  
*in his official capacity as Chairman of the  
National Security Commission on  
Artificial Intelligence*

represented by **Gary Daniel Feldon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**YLLI BAJRAKTARI**  
*in his official capacity as Executive  
Director of the National Security  
Commission on Artificial Intelligence*

represented by **Gary Daniel Feldon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**UNITED STATES DEPARTMENT OF  
DEFENSE**

represented by **Gary Daniel Feldon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/27/2019	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-6402957) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Davisson, John) (Entered: 09/27/2019)
09/27/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ELECTRONIC PRIVACY INFORMATION CENTER (Davisson, John) (Entered: 09/27/2019)
09/27/2019	<u>3</u>	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Entered: 09/27/2019)
09/27/2019	<u>4</u>	MOTION for Preliminary Injunction by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Davisson, John) (Entered: 09/27/2019)
09/30/2019		Case Assigned to Judge Trevor N. McFadden. (zeg) (Entered: 09/30/2019)
09/30/2019	<u>5</u>	SUMMONS (4) Issued Electronically as to YLLI BAJRAKTARI, NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE, ERIC SCHMIDT, UNITED STATES DEPARTMENT OF DEFENSE. (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 09/30/2019)
10/01/2019	<u>6</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 10/1/2019. (lctnm2) (Entered: 10/01/2019)
10/01/2019	<u>7</u>	REQUEST FOR SUMMONS TO ISSUE <i>for U.S. Attorney for the District of Columbia</i> re <u>1</u> Complaint, filed by ELECTRONIC PRIVACY INFORMATION CENTER. Related document: <u>1</u> Complaint, filed by ELECTRONIC PRIVACY INFORMATION CENTER.(Davisson, John) (Entered: 10/01/2019)
10/01/2019	<u>8</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Attorney General of the United States</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER.(Davisson, John) (Entered: 10/01/2019)
10/01/2019		MINUTE ORDER. On September 27, 2019, Plaintiff filed a <u>4</u> Motion for Preliminary Injunction, invoking LCvR 65.1(d). Therefore, the Defendant shall file a responsive pleading on or before October 8, 2019. Plaintiff's Reply, if any, is due on or before October 11, 2019, and the Court will hold a hearing on the Motion on October 16, 2019, at 10:30 a.m., in Courtroom 2. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/1/2019. (lctnm2) (Entered: 10/01/2019)
10/02/2019	<u>9</u>	SUMMONS (2) Issued Electronically as U.S. Attorney and U.S. Attorney General. (ztth) (Entered: 10/02/2019)
10/02/2019	<u>10</u>	NOTICE of Appearance by Gary Daniel Feldon on behalf of All Defendants (Feldon, Gary) (Entered: 10/02/2019)
10/02/2019		Set/Reset Deadlines/Hearings: Defendants' responsive pleading due by 10/8/2019. Plaintiff's reply due by 10/11/2019. Motion Hearing set for 10/16/2019 at 10:30 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 10/02/2019)
10/03/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/2/2019. Answer due for ALL FEDERAL DEFENDANTS by 11/1/2019. (Davisson, John) (Entered: 10/03/2019)
10/08/2019	<u>12</u>	Counter MOTION to Modify <i>Scheduling Order</i> by NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE, UNITED STATES

		DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Feldon, Gary) (Entered: 10/08/2019)
10/09/2019		MINUTE ORDER granting in part Defendants' <u>12</u> Consent Motion to Modify Briefing Schedule. Defendants shall file their responsive pleading by today, October 9, 2019. Plaintiff's reply, if any, shall remain due on or before October 11, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/9/2019. (lctnm2) (Entered: 10/09/2019)
10/09/2019		Set/Reset Deadlines: Defendants' responsive pleading due by 10/9/2019. Plaintiff's reply due by 10/11/2019. (hmc) (Entered: 10/09/2019)
10/09/2019	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/4/19. (Davisson, John) (Entered: 10/09/2019)
10/09/2019	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF DEFENSE served on 10/3/2019 (Davisson, John) (Entered: 10/09/2019)
10/09/2019	<u>16</u>	Memorandum in opposition to re <u>4</u> MOTION for Preliminary Injunction filed by NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE, UNITED STATES DEPARTMENT OF DEFENSE. (ztth) (Entered: 10/11/2019)
10/10/2019	<u>15</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>4</u> MOTION for Preliminary Injunction <i>Nunc Pro Tunc</i> by NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE, UNITED STATES DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Feldon, Gary) (Entered: 10/10/2019)
10/10/2019		MINUTE ORDER granting Defendants' <u>15</u> Consent Motion for an Extension of Time, <i>Nunc Pro Tunc</i> , to Oppose the Preliminary Injunction Motion. Defendants' Opposition shall be deemed filed on October 9, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 10/10/2019. (lctnm2) (Entered: 10/10/2019)
10/11/2019	<u>17</u>	REPLY to opposition to motion re <u>4</u> MOTION for Preliminary Injunction filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Davisson, John) (Entered: 10/11/2019)
10/16/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Motion Hearing held on 10/16/2019. MOTION for Preliminary Injunction filed by ELECTRONIC PRIVACY INFORMATION CENTER, heard and DENIED for reasons stated on the record. Defendants' Motion to Dismiss due by 10/31/2019. Plaintiff's Opposition due by 11/7/2019. Defendants' Reply due by 11/14/2019. (Court Reporter: Elizabeth Saint-Loth.) (hmc) (Entered: 10/16/2019)
10/16/2019	<u>18</u>	ORDER denying <u>4</u> Motion for Preliminary Injunction and setting briefing schedule for a Partial Motion to Dismiss. See attached Order for details. Signed by Judge Trevor N. McFadden on 10/16/2019. (lctnm2) (Entered: 10/16/2019)